

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NOV 05 2015

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES OF AMERICA,

vs.

ANTHONY STANZCAK II

Name

2:15-CR-0068-TOR-2

File No.

Street Address

Telephone Number

City and State

AGREEMENT FOR SUPERVISED PRE-TRIAL DIVERSION

It appearing that you are reported to have committed an offense against the United States beginning on or about June 2014 until July 2015, in violation of Title 18 United States Code, Section 1512(d)(4), in that you did intentionally harass another person, Victim A, and did thereby hinder, delay, prevent, and dissuade Victim A from causing and assisting a criminal prosecution to be sought and instituted. Upon your accepting responsibility for this act, and it further appearing, after an investigation of the offense, and your background, that the interest of the United States and your own interest and the interest of justice will be served by the following procedure, therefore,

On the authority of the Attorney General of the United States, MICHAEL C. ORMSBY United States Attorney for the Eastern District of Washington, and Stephanie Van Marter, Assistant United States Attorney for the Eastern District of Washington, prosecution in this District for this offense shall be deferred for a period of 36 months from the date of the signing of this agreement, provided you abide by the following conditions and the requirements of the program set out below:

1 Should you violate the conditions of this supervision, the United States
2 Attorney may revoke or modify any conditions of this pre-trial diversion program
3 which shall in no case exceed 36 months. The United States Attorney may release
4 you from supervision at any time. The United States Attorney may at any time
5 within the period of your supervision initiate prosecution for this offense should
6 you violate the conditions of this supervision and will furnish you with notice
7 specifying the conditions of your program which you have violated.

8 If, upon completion of your period of supervision, a pre-trial diversion
9 report is received to the effect that you have complied with all the rules,
10 regulations and conditions above mentioned, no prosecution for the offense
11 set out on page 1 of this agreement will be instituted in this District, and
12 Count 2 of Cause Number 15-CR-00068-TOR-2, will be dismissed.

13 Neither this agreement nor any other document filed with the United States
14 Attorney as a result of your participation in the Pre-Trial Diversion Program will
15 be used against you, except for impeachment purposes, in connection with any
16 prosecution for the above described offense.

17 **CONDITIONS OF PRE-TRIAL DIVERSION**

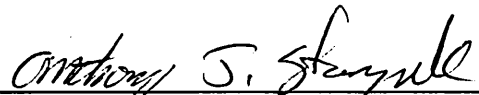
- 18 1. You shall not violate any law (federal, state, tribal or local). You shall
19 immediately contact your pre-trial diversion supervisor if arrested and/or
20 questioned by any law enforcement officer.
- 21 2. You shall complete a mental health evaluation and comply with any treatment
22 recommended. You shall also attend/continue family counseling as currently
23 required pursuant to the family court proceedings. You shall sign all necessary
24 releases of information.
- 25 3. You shall attend school or work regularly at a lawful occupation. When out
26 of work or unable to attend school, you shall notify your United States
27 Probation Officer (USPO) at once. You shall consult your USPO prior to job
28 or school changes.
4. You shall continue to live in this judicial district. If you intend to move out
of the district, you shall inform your USPO so that the appropriate transfer of
program responsibility can be made.


- 1 5. You shall report to your USPO as directed and keep him informed of your
2 whereabouts.
- 3 6. In lieu of a fine, you shall agree to pay for any outstanding counseling
4 expenses on behalf of the victim throughout the period of his agreement.
- 5
- 6 7. You shall have no contact with the victim unless and until approved by all
7 assigned counselors and family court. If contact is approved, it must be
8 consistent with the reintegration plan approved by family court. Your assigned
9 USPO must also be advised and concur with the contact.
- 10 8. After 18 months of supervision, if all the above conditions have successfully
11 been met and complied with, Defendant may petition for early termination
12 of this agreement.
- 13


14 Court Status

15 I, ANTHONY STANCZAK II, assert and certify that I am aware of the fact
16 that the Sixth Amendment to the Constitution of the United States provides that in
17 all criminal prosecutions the accused shall enjoy the right to a speedy and public
18 trial. I also aware that Rule 48(b) of the Federal Rules of Criminal Procedure
19 provides that the Court may dismiss an indictment, information, or complaint for
20 unnecessary delay in presenting a charge to the Grand Jury, filing an information
21 or in bringing a defendant to trial. I hereby request that the United States
22 Attorney for the Eastern District of Washington defer any prosecution of me for
23 violation of Title 18, United States Code, Section 1512(d)(4) for a period of 36
24 months, and to induce him to defer such prosecution I agree and consent that any
25 delay from the date of this Agreement to the date of the initiation of the
26 prosecution, as provided for in the terms expressed herein, shall be deemed to be a
27 necessary delay at my request and I waive any defense to such prosecution on the
28 ground that such delay operated to deny my rights under Rule 48(b) of the Federal
Rules of Criminal Procedure and the Sixth Amendment to the Constitution of the
United States to a speedy trial or to bar the prosecution by reason of the running of
the statute of limitations for a period of months, which is the period of this
Agreement.


1 I hereby state that the above has been read by me. I understand the
2 conditions of my pre-trial diversion and agree that I will comply with them.

3
4  11-5-15
5 ANTHONY STANCZAK II DATE

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8  11/5/15
9 Curran Dempsey DATE
10 Defendant's Attorney

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12
13  11/5/15
14 Stephanie Van Marter DATE
15 Assistant United States Attorney

16
17 APPROVED without passing judgment on the merits or wisdom of this diversion.
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19
20  11/5/15
21 Honorable Thomas O. Rice DATE
22 United States District Court Judge
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